BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Interstate Fibernet, Inc., Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway

Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Response Form - Question 8: Self-provided facilities for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form-Question 10: 3 rd Party facilities leased for providing retail									
service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample Response Form-Question 11: 3 rd Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						<u> </u>			

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center → IXC POP ← → IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

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- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Interstate Fibernet, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Interstate Fibernet, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

	\neg	State
CLLI Code	Wire Center "A"	0.
Access to Collocation (Yes, No)	Ά.	L
CLLI Code	Wire Center "Z"	
Access to Collocation (Yes, No)	"Z"	
Reporting Company Name		
Facility If No, third wholly party owned facility (Yes, No) vendor		
If No, third party facility vendor		
on IRU basis from BellSouth (Yes, No)	Dark Fiber	
d on IRU Facilities are basis from operationally BellSouth ready (Yes, (Yes, No) No)		
DS3	Capacity Ir	
Fibers	1-Service	
DS3	Capacity In-Service Capacity Deployed	
Fibers	Deployed	

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner" Wire Center CLLI cod	Wire Center "A"
	Wire Center CLLI code	
	de Collocation ACTL CLLI Collocation "owner'	Wire Center "Z"
-	Collocation "owner"	

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

CLLI Code Wire Center "A" Access to Collocation (Yes, No) CLLI Code Wire Center "Z" Access to Collocation (Yes, No) Reporting Company Name Facility If No, third wholly party owned facility (Yes, No) vendor Dark Fiber
on IRU
basis from
BellSouth
(Yes, No) Facilities
n operationally
n ready
(Yes, No) DS1 Capacity In-Service DS3 Dark Fibers DS1 Capacity Deployed DS3 Dark Fibers

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

Mile Celifer CFF1 code	With Control Collocation ACTL CLLI Collocation "owner" Wire Center CLLI code			
Concorning	Collocation ACTL CLLI	Wire Center "A"		
	Collocation "owner"			
	Wire Center CLLI code			
	Collocation ACTL CLLI Collocation owner		Wire Center "Z"	
	Collocation owner	O-11		

(Street name and number, directional)	PSAG Valid Address	Customer Address	
	CITY	21022	
	Zip		
	loop extends		
	Company Na		
	No)	Facility wholly If No, third BellSouth on IRU basis (Yes	
	vendor	on third	
	No)	Facility wholly If No, third BellSouth on large facility IRU basis (Yes.	Dark Fiber from
	Yes, No	location all at	66
	Pg 2	line # Ref.	
		DS3	Capacity
		Fibers	Capacity In-Service
		DS3	Total Capaci
		Fibers	ty Deployed

Self-Provisioned Retail Loop Information Spreadsheet, page 1

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

(Street name and number, directional)	Customer Address Address City	
	Zip Barrier to access	
	Steps taken to remove barrier	

Wholesale Loop Information Spreadsheet, page 1

RSAG Valid Address (Street name and number, directoral)	Customer Address	Ciaro.
Cit		
Zb		
pop externes	CLLI from which Reporting	
oop extends Company Name	Reporting	
ē	Facility wholly owned (Yes,	
* Charles	Facility wholly If No, third Be owned (Yes, party facility II	
	from diSouth on RU basis Yes, No)	Dark Fiber
	can serve in No. all at indicate location line # Ref (Yes. No) Pg 2	
	feasible point (Yes, No)	Access at
	DS1	Сара
	DS3	Capacity In Service
	Fibers	8
	DS1	Total Capaci
	DS3 Fibers	pacity Deployed
1		שני

Wholesale Loop Information Spreadsheet page 2
Wholesale Loop Premises Access

,	ne and number, directional)	Customer Address	
		City Zip	
		Barrier to access	
		Steps taken to remove barrier	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Knology of Nashville, Inc. Corporation Service Company 2908 Poston Avenue Nashville, TN 37203

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness' designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

──Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Knology of Nashville, Inc., Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 1											
	AL FL GA KY LA MS NC SC TN											
Affirm												
Deny												

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 2											
	AL FL GA KY LA MS NC SC T											
Affirm												
Deny												

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	ple Forr	n for Res	sponse t	o Questi	on 3		
AL FL GA KY LA MS NC SC T									
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Response Form - Question 8: Self-provided facilities for providing retail service										
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sa	ample Re	esponse	Form - (Question	9:			
		Self-pro	vided fac	cilities of	fered on	wholesa	le basis			
AL FL GA KY LA MS NC SC TI										
Affirm										
Denv										

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased for	r providir	ng retail
1	•			ser	/ice				
	AL	FL	GA	KY	LA,	MS	NC	SC	TN
Affirm									
Deny							<u> </u>		

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	3 rd F	Sa Partv faci	mple Re	esponse sed for r	Form-Qeselling	uestion 1 as whole	1: esale ser	vice			
	3 rd Party facilities leased for reselling as wholesale service AL FL GA KY LA MS NC SC TN										
Affirm											
Deny									<u> </u>		

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate:
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Knology of Nashville, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Knology of Nashville, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III. LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications. Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

CEL	CHCOde		Wile Center A			State:
	(Yes, No)	Access to Collocation	7			.
	CLTI Code			Wire Center "Z"		
	(100, 110)	Access to Collocation		.7.		
	1401110	Reporting Company				
		wholly owned (Yes. No)				
		If No, third party facility vendor				
		basis from BellSouth (Yes, No)		Dark Fiber		
		operationally ready (Yes, No)				
		DS3			Capacity II	
		Fibers			Capacity In-Service Capacity Deployed	
		DS3			Capacity L	
		Fibers			Deployed	

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

Wire Center CLLI code		
Wire Center CLLI code Collocation ACTL CLLI Collocation "owner" Wire Center CLLI code	Wire Center "A"	
Collocation "owner"		
Wire Center CLLI code		
Collocation ACTL CLLI Collocation "owner"	AAILA CALICAL 7	14/1- Contor #7#
Collocation "owner"		

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

				State:
		CLLI Code	Wire Center "A"	
	(Yes, No)	Access to Collocation		
ł		CLLI Code	Wire Center "Z"	
	(Yes, No)		Ž	
	Name	Reporting Company		
	168, 140/	wholly	Facility	
	401100	facility	If No, third	
		BellSouth	on IRU	Dark Fiber
		wholly party basis from operationary owned facility BellSouth ready (Yes. No.) (Yes. No.)	Facilities	
		DS1		Cap
		DS3		Capacity In-Service
		DS3 Dark Fibers	!	/ce
		8	}	Cap
		8	3	Capacity Deployed
		Cally ribaia		yed

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

Wire Center CLLI code Collocation	ANII W	Wi-Co	Macoura de la companya del companya della companya
ACTL CLLI		nor non	
_			
	Collocation ACTL CLLI	Wire Center "Z"	
	Collocation "owner"		
		Wire Center CLLI code Collocation ACTL CLLI Collocation "owner" Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	

Customer Address	
Z B	
CLLI from which loop extends	
Reporting Company Na	
Facility wholly owned (Yes, No)	
If No, third party facility vendor	
Facility wholly If No, third BeilSouth on owned (Yes, party facility IRU basis (Yes, INO) vendor No)	
Can serve all at location (Yes, No)	
if No. Indicate line # Ref. Pg 2	
Capacity DS3	
n-Service Fibers	
Total Ca DS3	

Fibers

Self-Provisioned Retail Loop Information Spreadsheet, page 1

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

(Street name and number, directional)	Customer Address City	Notal Foot - Common -
	Zip	
	Barrier to access	
	Steps taken to remove barrier	

Wholesale Loop Information Spreadsheet, page 1

(Street name and number, directoral)	<u></u>	Customer Address	State:
	loon extends	CLLI from which Reporting owned (Yes, party facility II No, third BellSouth on all at brid location line to the control owned (Yes, party facility II No, third BellSouth on location line to the control owned (Yes, party facility II No, third BellSouth on all at brid location line to the control of the con	
	Company Name	Reporting	
	8	Facility wholly owned (Yes,	
	vendor	If No, third party facility	
	(165, NO)	from Can serve If No. BetiSouth on all at Indicate IRU basis location line # Re	Dark Fiber
	1100,100	Can serve all at location	
	F		
		technically feasible point (Yes, No)	Access at
		DS1	Capa
		D\$3	Capacity in-Service
		Fibers	8
		DS1	Total Ca
		083	pacity Depi
		Fibers	oyed

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

(Street name and number, directional)	Customer Address City	
	Zip	
	Barrier to access	
	Steps taken to remove barrier	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Knology of Tennessee, Inc. Corporation Service Company 2908 Poston Avenue Nashville, TN 37203

Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Knology of Tennessee, Inc., Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2/03}{}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

Richard Collier

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 1												
	AL FL GA KY LA MS NC SC TN												
Affirm													
Deny													

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2											
	AL FL GA KY LA MS NC SC T										
Affirm											
Deny	-										

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

	Sample Form for Response to Question 3												
T	AL	FL	GA	KY	LA	MS	NC	SC	TN				
Affirm													
Deny									<u> </u>				

- For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

			ample Re					,	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny]	

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

				•		Question			
		Self-pro	vided tad	cilities of	rerea on	wnoiesa	ne basis		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased for	providir	ng retail
i -				sen	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						<u> </u>			
Deny								<u> </u>	<u> </u>

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

						uestion 1			
	3 rd F	Party faci	ilities lea	sed for r	eselling	as whole	esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									l

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Knology of Tennessee, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Knology of Tennessee, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14 "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III. LLC

MCI WorldCom Communications. Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

:0	
štai	

Wire Center "A"	Α-	Wire Center "Z"							Capacity I	Capacity In-Service Capacity Deployed	Capacity	Deployed
CLUCode	Access to Collocation (Yes. No)	ರ	Access to Collocation (Yes, No)	Reporting Company Name	Facility wholly owned (Yes, No)	If No, third party facility vendor	Dark Fiber on IRU basis from BellSouth (Yes, No)	Facility If No, third on IRU Facilities are wholly party basis from operationally owned facility BellSouth ready (Yes, No) vendor (Yes, No)	DS3	Fibers	DS3	Fibers
								,				

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

State:

_	_			_	 _	 	7
pavo			Dark Fibers				
Canacity Denloyed	ממוני ממוני		DS3				
2	3		DS1				
100	800		DS3 Dark Fibers				
0	Capacity in-Service		DS3				
۱			DS1				
		Facilities	wholly party basis from operationally owned actility BellSouth ready	122,122			
	Dark Fiber	2	basis from BellSouth	1100,100			
		F No third	party facility	Verico			
		Coollier	wholly	(Yes, NO)			
			Reporting Company	Name			
		7	Access to Collocation	(TBS, NO)			
	Total Control	WITE CERTEE	CLLI Code				
			Access to Collocation	(Yes, No)			
		Wire Center "A"	CLL! Code	1			

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

	Collocation "owner"	,
Wire Center "Z"	Collocation ACTL CLLI	
	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	
	Collocation "owner"	
Wire Center "A"	Wire Center CLLI code Collocation ACTL CLLI	
	Wire Center CLLI code	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

State:

									-			Total Consider	Deschaed
							Dark Fiber from Can serve If No. Capacity in Service Total Capacity Deproyed	Can serve	Š	Capacity II	Service	IORI CADACI	20000
Customer Address	dress		7			M. 141.	October 4	- to	Indicate				
			Ct 1 from which	Reporting	racility wholly owned (Yes,	party facility	Pacility wholly if No, unit besis (Yes, location line # Ref.	location	line # Ref.	DS3	Fibers	DS3	Fibers
Search A Minn	ž	2	Inno extends		(<u>Q</u>	vendor	No)	(Yes, No)	Pg2				
NOVO VAIIO AUGIESS	2		201.000										
(Street name and number, directional)													
											_		
-													

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier			
Barrier to access		1	
Zin	i		
Address			
Customer Address	(Street name and number, directional)		. ,

Wholesale Loop information Spreadsheet, page 1

T		g			7
		Fibers			1
Total Capacity Deployed		DS3			
Total		DS1			
8		Fibers			
Canacity in Service		083			
	1	DS1			
Access at	technically	feasible point	(168, NU)		
	Š,	Indicate (ine # Ref.	25		
	Can serve	all at location	(Yes, No)		
	Dark Fiber	BellSouth on all at indicate feasible IRU basis location (the # Ref., point	(Yes, No)		
		if No, third party facility	vendor		
-		Facility wholly if No, third owned (Yes, party facility	(ON	<u></u>	
			힐		
		C. I. from which	loop extends Company		
			Zp		
	88		City		
	Customer Address		_	(Street name and number, directional)	

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier				
Barrier to access			,	
i,	ZID	,		
	25	lirectional)		
Customer Address	Address	(Street name and number, directional)		



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Knology of Knoxville, Inc. Corporation Service Company 2908 Poston Avenue Nashville, TN 37203

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Knology of Knoxville, Inc., Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1												
	AL	FL	GA	KY	LA	MS	NC	SC	TN			
Affirm	/_											
Deny								<u> </u>	<u> </u>			

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sam	ple Forn	n for Res	sponse to	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny		ľ				<u> </u>	<u> </u>	<u> </u>	

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Forr	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						l			

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the paracular route.
 - g. The repacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

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8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ing retail			_
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	Sample Response Form - Question 9:											
		Self-pro	vided fac	cilities of	fered on	wholesa	le basis					
	AL	FL	GA	KY	LA	MS	NC	SC	TN			
Affirm												
Deny							<u> </u>	<u>L</u>				

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 ^{rc}	Party fa	acilities le	eased for	r providir	ng retail
-				ser	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	Sample Response Form-Question 11:										
	3 rd Party facilities leased for reselling as wholesale service										
	AL	FL	GA	KY	LA	MS	NC	SC	TN		
Affirm											
Deny											

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate:
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth:
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-IEEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Knology of Knoxville, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Knology of Knoxville, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16 "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

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State:

				-	<u>``</u> , .
Devocado	32/2/20		Fibers		
A PORTOR	Capacity in-Service Capacity Deproyee		DS3		
	n-Service		Fibers		
	Capacity		DS3		
			Facility If No, third on IRU Facilities are governed wholly party basis from operationally ly owned facility BellSouth ready (Yes, No) wandor (Yes, No)		
		Dark Fiber	on IRU basis from BellSouth		
			If No, third party facility		
			Facility wholly owned	189, 100	
			cess to Reporting location Company	Name	
		Z	Access to Reporting Collocation	(163, NO)	
		Wire Center "Z"		CLLI Code	
			Access to Collocation	(Yes, No)	
		Wire Center "A"		CLLI Code	

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

				1471 - A 1471	
	Wire Center "A"			Wire Center 2	
	WILE CERTED A				מייטשויט מייזיי ווייט
Wind Contact II I adde	ACTION ACTION APPLIANCE AND ACTION ACTION	Collocation "owner"	Wire Center CLLI code Collocation ACTL CLLI Collocation Dwiler	Collocation ACTL CLLI	Collocation owner
WITE CEITIES OLLS COUC	כטווספמוטון אט ו ב טבביו				

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

	eproyed		DS3 Dark Fibers			
	Capacity Deployed		DS3			
	٥		DS1			
	vice		Dark Fibers DS1			
	Capacity In-Service		DS3		 	
	S		DS1			
		Facilities	wholly party basis from operationally owned facility BeilSouth ready	(188, NO)	 	
	Dark Eiher		basis from BeliSouth	(Yes, No)		
		F No third	party facility	vendor		
		Earlity.	wholly	(Yes, No)		
			Reporting Company	Name		
		.7.	Access to Collocation	(Yes, No)		
		Wire Center "Z"	CLLI Code			
		8,0	Access to	(Yes, No)		
State:		Wire Center "A"	CLLI Code			

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		"" " " " " " " " " " " " " " " " " " "	Collocation owner			
1411 - Canton 11711	Wire center &		Collocation ACTL CLLI			
			Wire Center CLLI code Collocation ACTL CLLI Collocation Owner			
			Collocation "owner"			
		Wire Center "A"	IIIO ILOV H III O	Wire Center CLLI code Collocation AC IL CLLI		
				Wire Center CLLI code		

Self-Provisioned Retail Loop Information Spreadsheet, page 1

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	ity Deployed	Fibers					
	Total Capac	DS3					
	Canacity In-Service Total Capacity Deployed	Phone	SBALL				
	Capacity	6	3				
	¥ No	Indicate	Ine#Ker				
	97090	all at	location Yes No.	22,122			
		BellSouth on all at indicate	owned (Yes, party facility IRU basis (Yes, location line # Ker,	(Q)			
		ff No. third	party facility	vendor			
		Facility wholly	owned (Yes,	(<u>Ş</u>			
			Reporting	Company Name			,
			Ct 1.1 from which				
				Zip			
_	•	dress		Ċţ			
	9:	Customer Address		RSAG Valid Address	Street name and number, directional)		
	State	L		RS	5		

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Customer Address	ا	7.5	Berrier to access	Steps taken to remove barrier
Address (Street name and number, directional)		dl7		

Wholesale Loop Information Spreadsheet, page 1

Customer Address Cutti from which Reporting Compary Name No) City Zip kop extends No]							-						Total Con	Arab Dank	- Pay
Facility whofty if No, third BetSouth on all at Indicate feasible DS1 DS3 Fibers DS1 DS3 Fibers DS1 DS3 med (Yes, party facility RU basis location the # Ref, point DS1 (Yes, No) (Yes, No) (Yes, No) Pg 2 (Yes, No)			 -				Dark Fiber		_	Access at	Capac	ty in-Service		3	STATE OF THE PARTY	
Facility whotly if No, third BelSouth on all at Indicate feasible DS1 DS3 Fibers DS1 DS3 in owned (Yes, party facility IRU basis location the # Ref, point point line # Ref, point line # No) vendor (Yes, No) (Yes, No) Pg 2 (Yes, No)			7				, may	Can serve	FNo.	chnically				_	-	
sme No) vendor			CLLI from which		Facility whoffy owned (Yes.	if No, third party facility	BellSouth on IRU basis	all at location	Indicate	feasible point			Fibers			Fibers
		Ζζb	loop extends	E	Ş Ş	vendor	(Ves, No)	Yes, NO	7	TONI 1881						
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		_												_		
		_							1				١			

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

scess Steps taken to remove barrier		
Barrier to access		
diZ		
<u>≩</u>	1	
Customer Address	(Street name and number, directional)	

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BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Level 3 Communications, LLC CT Corporation System 530 Gay Street Knoxville, TN 37902

Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Level 3 Communications, LLC, CT Corporation System, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2/03}{}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

Richard Collier

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		Sam	ple Forr	n for Res	sponse t	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny				1					

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse t	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Forr	n for Res	sponse to	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm							<u> </u>		
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Response Form - Question 8: Self-provided facilities for providing retail service										
									TN	
Affirm								·		
Deny							1	_		

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9:													
Self-provided facilities offered on wholesale basis													
	AL FL GA KY LA MS NC SC TN												
Affirm													
Deny	Deny												

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 ^{rc}	Party fa	acilities le	eased fo	r providir	ng retail	
i .	service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample Response Form-Question 11:											
3 rd Party facilities leased for reselling as wholesale service											
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

a. The CLLI code of the central office.

b. The type of collocation at which the facilities terminate;

- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Level 3 Communications, LLC as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Level 3 Communications, LLC.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

	Capacity In-Service Capacity Deployed		Fibers					
	Capacity		DS3					
	n-Service		Fibers					
	Capacity		DS3					
			Facilities are operationally ready (Yes, No)					
	i	Dark Hiber	on IRU basis from BellSouth	100				
	Facility If No, third on IRU Facilities are wholly party basis from operationally owned facility BellSouth ready (Yes, No) vendor (Yes, No) No)							
			Reporting Company	Name	,			
			Access to Collocation	(Yes, No)				
	2	Wire Center 2		CLLI Code				
			Access to Collocation	(Yes, No)				
State:		Wire Center "A"		CLLI Code				

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

pevo		Dark F	
Canacity Deployed		DS3 Dark Fil	
ح ا	3	DS1	
, ice	3	DS3 Dark Fibers	
og ut vice	Capacity III-Selvice	DS3	
1		DS1	
	-	Facility If No, third on IRU Facilities wholly party basis from operationally owned facility BellSouth ready (Yes. No) vendor (Yes. No)	
10.00	Dark Fiber	on IRU basis from BellSouth (Yes. No)	
		If No, third party facility vendor	
		Facility wholly owned	
		Reporting Company	
	.Z.	ccess to	
	Wire Center "Z"	CLLI Code	
	-	Access to Collocation	
	Wire Center "A"	CLLI Code	

(

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		Handler Handler Handler	ollocation owner		
11 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	Wire Center 2		Wire Center CLLI code Collocation ACTL CLLI Collocation owner		
			Wire Center CLLI code		
			Collocation "owner"		
	14 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Wire Center A	I I I I I I I I I I I I I I I I I I I	Wire Center CLLI code Collocation Acit CLL	
				Wire Center CLLI code	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

ity Depioyed	Fibers					
Total Capac	DS3					
In-Service	90 di	c poli				
Capacity	ş	3 				
# No.	Indicate	line # Ker, Pa 2				
Can serve	all at	location (Vec No.)				
Dock Eiber from	BellSouth on	IRU basis (Yes,	100			
	f No. third	party facility	Vendor			
	Facility wholly	owned (Yes,	(ON			_
		Reporting	Company Na			
		CLL1 from which	loop extends			
			Zip			
1	ddress		Ğ			
	Customer At		SSAG Valid Address	Street name and number, directional		
	Date: The firm Can serve If No. Capacity In-Service Total Capacity Deproyed	Customer Address	Customer Address CLLI from which Reporting	dress CLLI from which City Zip loop extends Co	Customer Address CLLI from which Reporting S Valid Address City Zip loop extends Company Na	dress CLLI from which Reporting City Zip loop extends Company Na

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

	Steps taken to remove barrier		
	Barrier to access		
	Zip		
•	Customer Address	(Street name and number, directional)	

Wholesale Loop Information Spreadsheet, page 1

Г	7				
	Day of	Fibers			
	Total Capacity Deployed	DS3			
	Total	DS1			
	-	Fibers			
	Connective In Service	DS3			
	1	DS4			
		echnically feasible point	(Yes, NO)		
	1	ine # Ref.	28		
		Can serve all at location	(Yes, No)		
		Dark Fiber Can serve If No. hechrically from all at Indicate feasible BellSouth on line # Ref. Doint	(Yes, No)		
		Facility wholly if No, third	vendor		
		Facility wholly	(Q)		
			열		
			CLLI from writin Reporting loop extends Company Name		
			ďΖ		
		888	ÇE		
	9:	Customer Address	G Valid Address	(Street name and number, directional)	
	State:		RS	(Sp.	

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier			
Barrier to access			
ř	ZID		
	₹ S	rectional)	
Customer Address	Address	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

McLeodUSA Telecommunications Services, Inc. CT Corporation System 530 Gay Street Knoxville, TN 37902

Re: Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

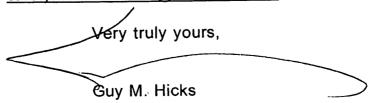
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness' designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: McLeodUSA Telecommunications Services, Inc., CT Corporation System, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2/03}{}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 1										
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2											
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

	Sample Form for Response to Question 3										
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Response Form - Question 8: Self-provided facilities for providing retail service										
1		Sell-big	ovided is	iciliues id	or provid	ing retail	Service				
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny											

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

			•	•		Question wholesa			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased fo	r providir	ng retail
,	·			ser	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

		Sa	mple Re	esponse	Form-Q	uestion 1	1:		
	3 rd F	Party faci	lities lea	sed for r	eselling	as whole	esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- The customer name of record for the collocation arrangement and the 11character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to McLeodUSA Telecommunications Services, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of McLeodUSA Telecommunications Services, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

								Canacity Ir	-Service	Canacity In-Service Capacity Deployed	Deployed
Wire Center "A"		Wire Center 'Z	7			Dark Fiher					
900 II	Access to Collocation (Yes. No)	- C	Access to Reporting Collocation Company (Yes. No)	 _	f No, third party facility vendor	on IRU basis from BellSouth (Yes, No)	Facility If No, third on IRU Facilities are wholly party basis from operationally owned facility BellSouth ready (Yes, No) vendor (Yes, No) No)	DS3	Fibers	DS3	Fibers

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

Wire Center CLLI code Collocation ACTL CLLI Collocation "owner" Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"				Wire Center "Z"	
owner" "owner"					
		llocation "owner"	Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"
	t				
	_				
	_				
	_				
	_				
	-				

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

	pake		Dark Fibers			
	Capacity Deployed		DS3			
	Ca		DS1			
			Dark Fibers DS1			
	Capacity In-Service		DS3			
	Cap		DS1			
		Facilities	wholly party basis from operationally owned facility BellSouth ready	193,183		
	Dark Eiher	on IRU	basis from BellSouth	148, NO		
		f No third	party facility	Vendor		
		Cociliby	wholly	(Yes, No)		
			Reporting Company	Name		
		"Z	Access to Collocation	(Yes, No)		
		Wire Center "Z"	CLLI Code			
			Access to Collocation	(Yes, No)		
State:		Wire Center "A"	CLLI Code			

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

Γ		 G	
		Collocation "own	
	Wire Center "Z"	Collocation ACTL CLLI	
		Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	
		Collocation "owner"	
	Wire Center "A"		
		Wire Center Cl 11 code	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

	ty Deployed	\$ 64 E	S IBOL			
	Total Capaci		DS3			
	In-Service		Fibers			
	Capacity		DS3			
	# No	Indicate	line # Ref, Pa 2			
	Con serve	allat	location	1821		
	Dad. Pileas from	BellSouth on	IRU basis (Yes,	(0)		
		f No. third	party facility	vendor		
		Eacility wholly	owned (Yes,	(ON		
			Reporting owned (Yes, party facility IRU basis (Yes, location line # Ref, DS3 Fibers US3 ribers			
			CLLI from which	loop extends		
				ďΖ		
_	1	ddress		City		
State:		Customer Address		RSAG Valid Address	(Street name and number, directional)	

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

	City Zip Barrier to access	and number, directional)		
Customer Address	Address	(Street name and number, directional)		

Wholesale Loop information Spreadsheet, page 1

-	Capacity In-Service Total Capacity Deproyeu		DS1 DS3 Fibers DS1 DS3 Fibers	_			
	Access at	technically	feasible	TIOC .	(VBS, NO)		
		, Š	Indicate	line # Ref,	787		
		Can serve	all at	location	(X88, No)		
	Dark Fiber	from	BellSouth on all at Indicate feasible	IRU basis	(Yes, No)		
			If No, third	party facility	vendor		
			Facility wholly	owned (Yes, party facility	No)		
,					2		
				CLLI from which Reporting	loop extends Company Nam		
					ZIp		
		ZLB88			Cità		
State:		Customer Address			RSAG Valid Address	(Street name and number, directional)	

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier	
Barrier to access	
Customer Address Address (Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Memphis Networx, LLC WT&C Corporate Services, Inc. 2525 West End Ave., #1500 Nashville, TN 37203-1423

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

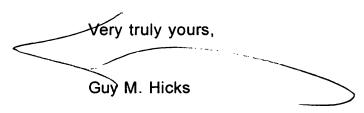
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Memphis Networx, LLC, WT&C Corporate Services, Inc., 2525 West End Ave., #1500, Nashville, TN 37203-1423

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2}{03}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

Kichard Collier

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1												
	AL FL GA KY LA MS NC SC TN											
Affirm												
Denv												

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2												
	AL FL GA KY LA MS NC SC TN'											
Affirm												
Deny												

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3												
AL FL GA KY LA MS NC SC TN												
Affirm								ļ				
Deny									<u> </u>			

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Response Form - Question 8: Self-provided facilities for providing retail service												
	AL	FL	GA	KY	LA	MS	NC	SC	TN				
Affirm													
Deny													

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis												
	AL FL GA KY LA MS NC SC TN											
Affirm	Affirm											
Deny												

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Sample Response Form-Question 10: 3 rd Party facilities leased for providing retail												
\	service												
	AL	FL	GA	KY	LA	MS	NC	SC	TN				
Affirm													
Deny								<u> </u>					

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	Zid E	Sarty fac	ample Re	esponse sed for r	Form-Q eselling	uestion 1 as whole	1: esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm							ļ		ļ
Deny						<u> </u>			<u> </u>

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

a. The CLLI code of the central office.

b. The type of collocation at which the facilities terminate;

c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement

d. The total active capacity and number of fiber strands deployed as of the

most recent date available;

e. The type of facility (e.g., fiber, coaxial cable, etc.).

- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

a. The CLLI code of the central office.

b. The type of collocation at which the facilities terminate;

 The customer name of record for the collocation arrangement and the 11character CLLI code for the collocation arrangement;

d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;

e. The total active capacity and number of fiber strands deployed as of the most recent date available;

f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;

g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Memphis Networx, LLC as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Memphis Networx, LLC.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

Deployed			Fibers			
Canacity	1		DS3			
Canacity Deployed	201712		Fibers			
d visconity l	Capacity		DS3			
			wholly party basis from operationally facility BellSouth ready (Yes,			
		Dark Fiber	on IRU basis from BellSouth	22.1		
			If No, third party facility	00104		
	`		Facility If wholly owned	1169, 140		
				Name		
	171	-	Access to Collocation	(163, 140)		
		Wire Center		CLLI Code		
			Access to Collocation	(Yes, No)		
		Wire Center "A"		CLLI Code		

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	14/1 - Canton "A"			Wire Center "Z"	
	Wire Center A				
Aliza Captar Cl 1 Londa	Mind Collection ACTI CITI	Collocation "owner"	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	Collocation ACTL CLLI	Collocation "owner"
אוופ ספוונפו סדרו ממפ					

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

Wire Center A. Wire Center Z. Becility if No, third on RU Facilities Collocation Company (Yes, No) Name (Yes, N															
Access to CLLI Code Collocation (Yes, No) Name (Yes, No) CLLI Code (Yes, No) Name (Yes, No) Name (Yes, No) Collocation Company Name (Yes, No)							F	100		gue	city In-Sen	jea	Sac	acity Deplo	hed
Access to CLLI Code Collocation Company owned (Yes, No) Name (Yes,	e Center "A	8	Wire Center "	.Z.			- Prior	Dark Fiber	Facilities	8					
Name (185, 740)	Code	Access to Collocation		Access to Collocation	Reporting Company	wholly	party	basis from BellSouth	operationally ready (Yes. No)	DS1	DS3	Dark Fibers			Dark Fibers
		(Yes, No)		(188, 190)	Маше	1183, 140/	100100	1							
										_					

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		Collocation "owner"				
Wire Center "Z"	THE COURS	III TATE TO THE O	Collocation AC 1 - CLE			
			Wire Center CLLI code Collocation ACIT CLLI			
			Collocation "owner"			
	"A" "Chech "A"	Wire Ceriter A	Wire Center CLLL code Collocation ACTL CLLI			
			Wire Center CI I code			

Self-Provisioned Retail Loop Information Spreadsheet, page 1

Contour	ily Deployed		Reporting owned (Yes, party facility IRU basis (Yes, location line # Ref, DS3 Fibers DS3 Fibers				
	Total Capaci	30.0	SSO.				
	In-Service		Fibers				
	Capacity		DS3				
	Š	Indicate	line # Ref,				
	Can serve	all at	location (No.)	189, 140			
	Dork Fiber from	BellSouth on	IRU basis (Yes,	(ON			
		F No third	party facility	vendor			
		Vilorent villa and live	owned (Yes,	<u> </u>			
			Reporting	Company Name		 	
			CLLI from which	loop extends			
				Zip			
П		ddress	-	CIF		_	
State:		Customer Address		RSAG Valid Address	(Street name and number, directional)		

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Customer Address Address City Zip (Street name and number, directional)	Barrier to access	Steps taken to remove barrier	

Wholesale Loop Information Spreadsheet, page 1

								-		-	١		\mid		410	7
							Dark Filher	_	-	CCBSS at		Capacity in Service		1830	lotal Capacity Devioyed	
Customer Address	188					_	- Lung	an serve	E No.	activically					_	_
			CLL! from which Reporting	_	Facility wholly if No, third B owned (Yes, party facility	If No, third party facility	BellSouth on all at Indicate feasible IRU basis location line # Ref. point	all at location	Indicate ne # Ref.	feasible point	DS1	DS3	Fibers	DS1	DS3	Fibers
RSAG Valid Address	Z A	٥	toop extends	욉	(OX	vendor	(Yes, No)	(Ves, No)	1			T				
(Street name and number, directional)																

3

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier	
Barrier to access	
Customer Address City Zip	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

MetroNet, Incorporated Ansley T. Moses 832 Georgia Avenue, #100 Chattanooga, TN 37402

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Very truly yours,

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: MetroNet, Incorporated, Ansley T. Moses, 832 Georgia Avenue, #100, Chattanooga, TN 37402

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse t	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv									

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse to	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	ple Forr	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ing retail			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									-
Deny									

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sa	ample Re	esponse	Form - C	Question	9:		
		Self-pro	vided fac	cilities of	fered on	wholesa	le basis		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									,
Deny									

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form-Question 10: 3 rd Party facilities leased for providing retail										
service										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample Response Form-Question 11: 3 rd Party facilities leased for reselling as wholesale service										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.

b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)

c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.

d. Indicate whether the facility is provided over dark fiber you have obtained

from BellSouth on an IRU basis or UNE basis (Yes, No).

- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth:
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities:
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to MetroNet, Incorporated as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of MetroNet, Incorporated.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

Wire Center "A"	-	Wire Center "Z	.Z.						Capacity	Capacity In-Service Capacity Deployed	Capacity	Deployed
CLLI Code	Access to Collocation (Yes, No)	ਰ	Access to Collocation (Yes, No)	E C	Facility wholly owned (Yes, No)	if No, third party facility vendor	Dark Fiber on IRU basis from BellSouth (Yes, No)	Reporting wholly party basis from operationally owned facility BellSouth ready (Yes, No) vendor (Yes, No) No)	DS3	Fibers	, DS3	Fibers

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

Wire Center CLLI code Collocation ACTL CLLI Collocation "owner" Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"		Wire Center "A"			Wire Center "Z"	
	Vire Center CL11 code	Collocation ACTL CLLI	Collocation "owner"	Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"

dsheet

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Transport
Wholesale
Spreadsheet: \
Question 5

_	_		<u> </u>		 -	
De/O			Dark Fibers			
Capacity Deployed			DS3			
පී			DS1			
-	3		DS3 Dark Fibers			
Co. In Co.	Capacity In-Service		DS3			
	3		DS1			
		Facilities	wholly party basis from operationally owned facility BellSouth ready			
	Dark Fiber	UM NO	basis from BellSouth			
		M No third	party	NO INC		
		Coelliby	wholly	(185, NO)		
			Reporting Company	Мате		
		2	Access to Collocation	(Tes, No)		
		Wire Center "2"	CLLI Code			
			Access to Collocation	(Yes, No)		
		Wire Center "A"	CLLI Code			

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

	Collocation "owner"		
Wire Center "Z"	I I I I I I I I I I I I I I I I I I I	Collocation AC I L CLLI	
		Wire Center CLLI code Collocation ACTL CLLI	
		Collocation "owner"	1
Miro Contor "A"	WIII COILLOI	Wire Center CLLI code Collocation ACTL CLLI	
		Wire Center CLLI code	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

Tabel Connectiv Danious	Capacity In-Service	Reporting owned (Yes, party facility	Zip loop extends Company Name No) vertaor No) vertaor No)		
		CLLI from w	Zip loop extern	-	
	ddress		City	e	
State:	Customer Address		RSAG Valid Address	(Street name and number, directional)	

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier			
Borrier to refress	Daillel to access		
ř	d17	-	
i	S C	6	
Customer Address	Address	(Street name and number, directional)	

Wholesale Loop information Spreadsheet, page 1

Г	_		
		Fibers	
	Total Capacity Deployed	830	
	Total	180	
	90	Fibers	
	Cenedity In-Service	DS3	
	Cond	DS1	
	Access at	tectrically feasible point (Yes, No)	
		if No, Indicate fine # Ref, Pg 2	
	<u> </u>	Can serve all at location (Yes, No)	
		Dark Fiber from Cen serve if No. rechrically from all at indicate feasible IRU basis location line # Ref. point (Yes, No) (Yes, No) Pg 2 (Yes, No)	
		Facility wholly if No, third B owned (Yes, party facility No) vendor	
	-	Se y	_
		Facility whowned (Y No)	
		Reporting Company Name	
		CLLI from which Reporting loop extends Company Nam	
		<u>0</u>	
		See Z	
		Customer Address ress City mber, drectonal)	
		Custo Address nd number, din	
State:		Customer Ad RSAG Valid Address (Street name and number, drectonal)	
<u> </u>	y	<u> </u>	

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

•	Steps taken to remove barrier			
	Barrier to access			
	Š	410		
		City	mber, directional)	
	Customer Address	Address	(Street name and number, directional)	

BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

T-Mobile Corporation Service Company 2908 Poston Avenue Nahsville, TN 37203

Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

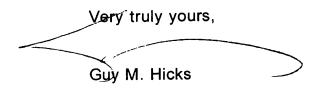
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: T-Mobile, Corporation Service Company, 2908 Poston Avenue, Nahsville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	ple Forn	n for Res	sponse t	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	nple Forr	n for Res	sponse t	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv						l			

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Forn	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny								•	

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		Self-pro	ample Re	esponse cilities fo	Form - 0	Question ing retail	8: service		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						<u> </u>			
Deny						<u> </u>			L

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Self-pro	ample Re	esponse cilities of	Form - 0	Question wholesa	9: ile basis		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny					<u> </u>	<u> </u>		<u> </u>	<u></u>